

**REMARKS**

The Examiner has rejected claims 10–35. Claims 10, 11, 13, and 21 are being amended to further recite the features of the invention; the scope of claims remains unchanged. Claims 1–9 have been withdrawn as the result of an earlier restriction requirement. As a result, claims 10–35 are pending for examination with claims 10 and 23 being independent claims. The amendments made find support in the specification and do not constitute new matter.

**Objections to the Drawings**

The Examiner has objected to the drawings as indicated on page 3 of the OA. Applicants have amended paragraphs 43 and 46 of the specification as provided herein above to address the Examiner's objection. As such, Applicants respectfully request that the Examiner withdraw the objection.

**Objections to the Specification**

The Examiner has objected to the specification as indicated on page 3 of the OA. Applicants have amended paragraphs 50 and 54 of the specification as provided herein above to address the Examiner's objection. As such, Applicants respectfully request that the Examiner withdraw the objection.

Amendment  
Application Number: 19/695,928  
Attorney Docket Number: 304931.01

**Rejections under 35 U.S.C. §112**

The Examiner has rejected claims 10 and 13 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended claims 10 and 13 as provided herein above to address the Examiner's rejection. As such, Applicants respectfully request that the Examiner withdraw the rejection.

**Rejections under 35 U.S.C. §103**

The Examiner has rejected independent claims 10 and 23 under 35 U.S.C. §103(a) as being unpatentable over Viswanath et al (US Publication No. 2007/0118670) ("Viswanath") in view of Greer et al. (US Patent No. 5,978,828) ("Greer"). Applicants point out that the Examiner appears to be using other than the last amended claims in the rejection resulting in an improper rejection. None the less, Applicants will attempt to respond to the rejection as applied to the last amended claims. Applicants respectfully request that the Examiner consider the claims as currently amended in any future actions.

The Examiner asserts that the features of the claimed invention are recited in the art and that it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Viswanath and Greer. Applicants traverse the Examiner's rejection and point out that at least the feature of "terminating" is not disclosed in Viswanath or Greer or the combination thereof.

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Applicants have amended claim 10 to call for:

“...terminating the incoming request;” (underlining added for emphasis)

And claim 23 calls for:

“...terminate the received request;” (underlining added for emphasis)

Applicants submit that the invention as claimed in claims 10 and 23 is neither taught, described, nor suggested in Viswanath, even in view of Greer.

The present specification provides:

“Broadly, wireless network access device 130, when implementing the operations of Fig. 4, operates as a proxy server for resource requests that originate on the local communication network. Wireless network access device 130 receives requests and provides requested resources from local cache memory, if possible. Otherwise, wireless network access device 130 terminates the received resource request and determines a number of TCP connections to use for retrieving the resource. Wireless network access device 130 then generates a new resource request and opens separate TCP connections with the destination address over a plurality of the wireless communication interfaces. The resource is downloaded to the wireless network access device 130, which stores the

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resource in local cache memory and makes the resource available to the requesting device." (para 37; underlining and bolding added for emphasis)

The original specification provides:

"In another exemplary implementation, another method is provided. A request for a resource comprising a plurality of objects is received from a computing device. The request is terminated. A number of available wireless network interfaces and a number of objects in the resource are determined. Each object is assigned to a specific wireless network interface, and a request for the resource is transmitted. The request specifies the specific wireless network interface assigned to an object." (para 6; underlining and bolding added for emphasis)

The present specification provides:

"In another exemplary implementation, an apparatus is provided. The apparatus comprises at least one local communication network interface for receiving a request for a resource. In addition, the apparatus comprises a plurality of wireless network interfaces for transmitting resource requests over wireless communication connections. The apparatus further comprises a memory module, and a processor that executes logic instructions that configure the processor to terminate the

received request, determine a number of available wireless network interfaces, determine a number of objects in the resource and the size of each object, and assign each object to at least one available wireless network interface.” (para 7; underlining and bolding added for emphasis)

Viswanath, on the other hand, describing step 216 in FIG. 3 as cited by the Examiner, provides:

“Load balance unit 22 selects one of gateways 20 from list 32 at step 212. For example, where round-robin or some other alternating technique for ordering gateways 20 is used to generate list 32, load balance unit 22 may select the first gateway 20 in list 32. At step 214, load balance unit 22 updates the entry in mapping information 110 that was created in step 206. To update the entry in mapping information 110, load balance unit 22 may map the IP address for selected gateway 20 to the mobile node identifier stored in mapping information 110. Load balance unit 22 modifies network access request 28 to include the IP address of selected gateway 20 and forwards network access request 28 to selected gateway 20 at steps 216 and 218, respectively.” (Viswanath, para 41; underlining and bolding added for emphasis)

As such, Viswanath **teaches away** from terminating the request as claimed by teaching modifying and forwarding the request. Neither does Greer teach, disclose, or suggest such claimed terminating the request.

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## AMENDMENT

Accordingly, the Applicants submit that independent claims 10 and 23 are not unpatentable over Viswanath, even in view of Greer. As such, Applicants respectfully request that the Examiner withdraw the rejection and allow the claims.

Claims 11–22 and 24–35 are dependent on either claim 10 or 23. As such, claims 11–22 and 24–35 are believed allowable based at least in part upon either claim 10 or 35.

Accordingly, reconsideration and examination of the above–referenced application is requested.

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CONCLUSION

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above application is requested. Based on the foregoing, Applicants respectfully request that the pending claims be allowed, and that a timely Notice of Allowance be issued in this case. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' representative at the telephone number listed below.

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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,

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Date: 10-19-2007

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**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

October 19, 2007  
Date

/Kate Marochkina/  
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Type or Print Name

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